IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO : 13768 of 1995

Between:

Smt.S.Eswarikantha, W/o. Reyyi Prakasa Rao,
R/o. Gokapeta (V)&(M), Vizianagaram Dist.

..... PETITIONER

AND

1 The District Collector & Magistrate,
Vizianagaram Dist.
2 The Superintendent of Post Office's
Vizianagaram Region, Vizinagaram Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ order or direction more in the nature of Writ of Certiorari and set aside the impugned order of the 1st respondent issued in Rc.No.1611/91/C7,dt.9-6-1995 as arbitrary and illegal and consequently declaring that the petitioner belongs to scheduled Caste and pass such other order or orders in the circumstances of the case.

Counsel for the Petitioner:SMT.M.BHASKARA LAKSHMI (SC FOR APHC)

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following :

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO.13768 OF 1995

O R D E R:

Heard learned counsel for the parties.

The caste certificate of the petitioner has been cancelled by the District Magistrate vide impugned order dated 09-06-1995.

It is submitted at the bar that during the pendency of this writ petition, Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993 came into force and it provides for an appeal.

In this view of the matter, the writ petition is disposed of with liberty to the petitioner to seek remedy of appeal before the appellate authority within a period of one month from today. The interim suspension granted by this Court shall continue till the disposal of the appeal by the appellate authority, provided the appeal is filed within one month from today. No order as to costs.

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(Bilal Nazki,J)

31st March, 2005

vrn

To

1 The District Collector & Magistrate,

Vizianagaram Dist.

2 The Superintendent of Post Office's
Vizianagaram Region, Vizinagaram Dist.

3 Two C.Cs to the Government Pleader for Social Welfare,

High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies.